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## DISPOSITION OF CRIMINAL ACTIONS

thereof as the prison commissioners by rules shall fix, to be disposed of as follows: On the release of the prisoner the money so retained, and money received by him under the provision of section three, and held by him at the time of the prisoner's release, shall be used by him, in his discretion, either for the purchase of clothing or other articles for the prisoner, or by paying the same, or any part thereof, either to him, or to the agent for discharged prisoners, to be expended by him for the benefit of the prisoner.

SECTION 3. The remainder of the money, if any, received by the warden or superintendent as aforesaid shall be disposed of as follows: At his request, the same, or any part thereof, may be deposited by the warden or superintendent, in trust for the prisoner, in a bank designated by him; or may be paid to his dependents, or be expended by the warden or superintendent for *articles* for his use. The prison commissioners, from time to time, shall designate by rule the articles which may be purchased for the use of prisoners, and no expenditures shall be made of money received as aforesaid for articles not permitted under said rule, except by vote of said commissioners, upon the recommendation of the warden or superintendent.

Any money received by the warden or superintendent, and not disposed of as hereinbefore provided prior to, or at the time of, the prisoner's release, may be retained until the expiration of the full term of the prisoner's sentence. At any time during that period the whole or any part of the same may be paid to the prisoner or expended for his benefit, and it shall be so paid at the time of such expiration.

Money in the hands of the warden or superintendent shall, at all times, be subject to forfeiture, under such rules as the prison commissioners from time to time shall make. Money so forfeited and money held for a prisoner who escapes from prison or for one who dies in the prison or on parole shall be disposed as directed by the commissioners, by rule or otherwise.

SECTION 4. If the prison commissioners shall at any time provide for grading the prisoners held in the state prison, the payment authorized by section one of this act shall be paid, thereafter, only to persons in the two highest grades, and the amount to be so paid may be increased to four dollars per month.

R. H. G.

**Relative to the Punishment for Murder in the Second Degree.**—(Mass. House, 1065.) Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section two of chapter two hundred and seven of the Revised Laws is hereby amended by adding at the end thereof these words:—or for any term of years not less than twenty,—so as to read as follows —*Section 2.* Whoever is guilty of murder in the first degree shall suffer the punishment of death, and whoever is guilty of murder in the second degree shall be punished by imprisonment in the state prison for life, or for any term of years not less than twenty.

R. H. G.

**To Provide for the Disposition of Criminal Actions on Information of the District Attorney.**—(Mass. House, 1069.) Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. On the written petition of any person charged with felony,

## SENTENCES FOR FELONY

the maximum punishment for which shall not exceed      years' imprisonment in the state prison, and who is held in custody therefor, setting out that he is held as aforesaid, and that he is guilty of the offence so charged, and that he desires to plead guilty thereto, and to have judgment forthwith passed upon him therefor, and requesting the court to direct the district attorney to file an information against him charging him with the commission of such offence, the court, or any judge thereof, may direct that such information be filed by the district attorney, and upon the same being done, such person shall, without unnecessary delay, be brought before the court, as upon indictment by a grand jury, and after the court shall have heard the plea of guilty on the part of such person, to the charge contained in the information, and his statement of the facts indicating his guilt, and whatever such person may submit relevant to the proper disposition of the case, the court shall pass judgment, and make disposition of the case in all respects as though the accused person had been duly adjudged guilty upon an indictment regularly returned by the grand jury.

SECTION 2. All courts having jurisdiction to try and determine and make disposition of criminal actions, involving charges of felony, are fully authorized and empowered to proceed in the manner hereinbefore mentioned.

SECTION 3. This act shall take effect upon its passage.

R. H. G.

**Relative to Aiding Discharged Prisoners.**—(Mass. House, 11078.) Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The agent employed to aid prisoners discharged from the state prison may, with the approval of the prison commissioners, assist during office hours, such other discharged prisoners, found to be needy and deserving, as can be helped without expense to the commonwealth.

SECTION 2. So much of chapter eight hundred and twenty-nine of the acts of the year 1913 as is inconsistent with this act is hereby repealed.

R. H. G.

**Relative to Sentences for Felony.**—(Mass. House, 1066.) Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. If a convict is sentenced to the state prison, for a crime committed after the passage of this act, except for life or as an habitual criminal, the court shall not fix the term of imprisonment, but shall merely impose a sentence to the state prison. Whoever is so sentenced to the state prison may be held therein for the longest term fixed by law for the punishment of the offence of which he has been convicted.

If a convict is sentenced to the house of correction for a felony, excepting for a term of two years or less, the court shall not fix the term of imprisonment, but shall merely impose a sentence to the house of correction. Whoever is sentenced to the house of correction for an unfixed term, as aforesaid, may be held therein for the longest term of imprisonment in a house of correction fixed by law for the punishment of the offence of which he has been convicted.

If a convict is sentenced to the state prison or is sentenced to a house of correction for an unfixed term, as aforesaid, for two or more felonies, he may be held for a term equal to the aggregate of the maximum terms fixed by law